

Notice of Allowability

Application No.

10/671,227

Examiner

Khanh Tran

Applicant(s)

VALIO, HARRI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 05/09/2006.
2. ☒ The allowed claim(s) is/are 25-34 which have been renumbered as claims 1-10 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

1. The Amendment filed on 05/09/2006 has been entered. Claims 25-34 are pending in this Office action.

2. Claims 25-34 have been renumbered as claims 1-10 respectively.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

On page 1 of the original disclosure, above the title "Technical Field", add

"CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation of U.S. Patent application Ser. No. 09/545,703, filed April 07, 2000, now U.S. Patent No. 6,658,048".

Response to Arguments

4. Applicant's arguments, see pages 2-6 in Applicant's Remarks, filed on 05/09/2006, with respect to claims 25-34 have been fully considered and are persuasive. The rejection of claims 25-34 has been withdrawn.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

5. Regarding claim 25, claim is allowable over prior art of record because the cited reference, Phelts et al. US Patent 6,868,110 B2, taken individually or in combination cannot teach or suggest the uniquely distinct features "correlating the received signal with the replica code to generate a second correlation result with a second delay time, where the second delay time is set between the first delay time and assumed correct delay time of the correlation function" and "determining if the correlation results of the first and second delay times are substantially equal to each other and, if the first and second correlation results are not substantially equal to each other, adjusting the correlation timing so as to cause the first and second correlation results to be substantially equal to each other".

6. Regarding claim 28, claim is allowable over prior art of record because the cited reference, Phelts et al. US Patent 6,868,110 B2, taken individually or in combination cannot teach or suggest the uniquely distinct features "means for correlating the received signal with the replica code to generate a second correlation result with a second delay time, where the second delay time is set between the first delay time and assumed correct delay time of the correlation function" and "means for determining if the correlation results of the first and second delay times are substantially equal to each other and, if the first and second correlation results are not substantially

equal to each other, for adjusting the correlation timing so as to cause the first and second correlation results to be substantially equal to each other”.

7. Regarding claim 31, claim is allowable over prior art of record because the cited reference, Phelts et al. US Patent 6,868,110 B2, taken individually or in combination cannot teach or suggest the uniquely distinct features “means for correlating the received signal with the replica code to generate a second correlation result with a second delay time, where the second delay time is set between the first delay time and assumed correct delay time of the correlation function” and “a code phase detector receiving the outputs of the two correlating means for generating an adjustment signal for adjusting the timing of the replica code generator; wherein the adjustment signal generated by the code phase detector causes an adjustment in the timing of the replica code generator until the correlation results of the first and second delay times are substantially equal to each other and, if the first and second correlation results are not substantially equal to each other, for adjusting the correlation timing so as to cause the first and second correlation results to be substantially equal to each other”.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KCT

Khanh Cong Tran

07/14/2006

Primary Examiner KHANH TRAN